

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARK CONKLING, Personal Representative)	
For the Estate of BRYAN CONKLING,)	
Deceased,)	
)	
Prospective Plaintiff,)	
)	
v.)	Civ. 14-0234-WJ/KBM
)	
TRI-STATE CAREFLIGHT, LLC and)	
BLAKE STAMPER, Individually,)	
)	
Defendants.)	
_____)	

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW, Mark Conkling, as the personal representative for the Estate of Bryan Conkling, Deceased, by and through his attorneys, JONES, SNEAD, WERTHEIM & CLIFFORD, P.A., and respectfully moves this Court to enter an Order substituting him as the Plaintiff in this matter. As grounds therefore, Mr. Conkling states as follows:

1. Plaintiff Bryan Conkling died intestate on September 2, 2015.
2. Suggestion of Death was filed with this court on September 30, 2015.
3. Aware that Bryan Conkling had died intestate and that Mark Conkling would be appointed as the personal representative, counsel then sought defense counsel's approval on a Motion Substituting Mark Conkling as a party in this matter.
4. Defense counsel requested that instead, the matter be stayed pending formal appointment of Mark Conkling as the personal representative. Counsel agreed.
5. An Order Extending Time to Substitute Parties (**Doc. 65**) was entered on December 30, 2015.

6. On February 29, 2016, Counsel filed a Status Report, apprising the Court and the Parties that Bryan Conkling's death certificate had been delayed due to errors; that probate documents were being prepared; that the matter was anticipated to be ready to move forward within 30-60 days; and that a Motion to Substitute Parties would be filed when an Order appointing Mark Conkling was entered.
7. An Order appointing Mark Conkling as the personal representative for Bryan Conkling was entered by the First Judicial District Court on May 16, 2016. A copy of this Order is attached hereto marked as Exhibit 1.
8. On June 8, 2016, counsel sought approval from defense counsel for a Motion Substituting Parties. Counsel received no response.
9. On June 10, 2016, counsel again contacted defense counsel asking for a position regarding the Motion Substituting Parties. Defense counsel then indicated that the Motion was opposed.

WHEREFORE, Mark Conkling, as the personal representative for the estate of his son, Bryan Conkling, respectfully requests that this Court enter an Order substituting him as the Plaintiff in this matter.

Respectfully Submitted,

JONES, SNEAD, WERTHEIM &
CLIFFORD, P.A.

By: /s/Samuel C. Wolf
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CERTIFICATE OF SERVICE

It is hereby certified that on the 10th day of June, 2016, a true copy of the foregoing *Motion for Substitution of Parties* was served via the CM/ECT system on Mr. Charles Vigil at cvigil@rodey.com and Mr. Jeffery L. Lowry jlowry@rodey.com.

/s/Samuel C. Wolf

SAMUEL C. WOLF